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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
GODDARD, BRIAN D	

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/893,990	CAMPBELL ET AL.	
	Examiner	Art Unit	
	Brian Goddard	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 August 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-4,6-15,17-25,27-29,31-41 and 43-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-4,6-15,17-25,27-29,31-41 and 43-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the Amendment filed 23 August 2004.

2. Claims 2-4, 6-15, 17-25, 27-29, 31-41 and 43-55 are pending in this application. Claims 4, 10, 23, 29, 35, 49 and 53-55 are independent claims. In the Amendment filed 23 August 2004, claims 1, 5, 16, 26, 30 and 42 were cancelled, and claims 2-4, 6-11, 13-14, 17-24, 27-29, 31-36, 38-39, 41, 43-50 and 52-55 were amended. This action is made Final.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 2-4, 6-15, 17-25, 27-29, 31-41 and 43-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0033317 to Ziglin in view of U.S. Patent No. 6,463,585 to Hendricks et al.

Referring first to claim 4, Ziglin discloses a system for generating a report by a reporting tool of an enterprise system substantially as claimed. See Figures 9-15 and the corresponding portions of Ziglin's specification for this disclosure. Ziglin teaches a system [See Figs. 12 & 15] for generating a report [See e.g. ¶ 0035] by a reporting tool of an enterprise business information system [132] using data included within an Aspect file [134 (Also See ¶ 0037)], said system comprising a non-enterprise bridge program [Layering Program 118] adapted to generate the Aspect file through use of data derived

from a dataset [96] and to transmit the Aspect file [See Fig. 12] to the enterprise business information system.

Ziglin does not expressly state that the enterprise business information system is a SAP business information system comprising a SAP Executive Information System (EIS), as claimed, because Ziglin is silent on a particular type of business information system used in the preferred embodiments. However, Ziglin does show that the enterprise business information system could be any of those available to an enterprise, and provides examples of some major enterprise business information systems in the Background of the Invention section (See ¶ 0006). This provides direct suggestion for using SAP as the enterprise business information system within Ziglin's invention.

Hendricks discloses a system and method similar to that of Ziglin, wherein formatted data is submitted to a SAP business information system, comprising a SAP Executive Information System (EIS), for report generation as claimed. See Figure 4 and the corresponding portion of Hendricks' specification, specifically column 21, line 8 – column 22, line 13, for the details of this disclosure.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Ziglin's enterprise business information system as a SAP business information system, such as that disclosed by Hendricks, to obtain the invention as claimed. One would have been motivated to do so because of the direct suggestion provided by Ziglin, as above.

Referring to claims 2 and 3, the system of Ziglin in view of Hendricks as applied to claim 4 above discloses the invention as claimed. See Figure 12 and the

corresponding portion of Ziglin's specification, as well as the above-mentioned portions of Hendricks' specification, for the details of this disclosure. Ziglin v. Hendricks teaches the system of claim 4, as above, wherein the dataset [96] can be a non-SAP-formatted dataset [relational or non-relational dataset in need of conversion to the enterprise (SAP) format] or a SAP-formatted dataset [already in the enterprise (SAP) format, but in need of filtering] as claimed.

Referring to claim 10, the system of Ziglin in view of Hendricks as applied to claim 4 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin v. Hendricks teaches a system for generating a report by a reporting tool of a SAP business information system [See claim 4 above] using data included within an Aspect file [Ziglin: 134; Hendricks: Matrix] having rollup records [Hendricks: programs watched elements (See column 70, lines 40-56)], said system comprising a non-SAP bridge program adapted to generate the Aspect file through use of data derived from a dataset and to transmit the Aspect file to the SAP business information system [See claim 4 above], said dataset having a keygroup [Hendricks: program category], wherein to generate the Aspect file includes to roll up [Hendricks: Step 430] a portion of the dataset with respect to the keygroup, wherein each rollup record has a rollup field [Hendricks: program category name/title (e.g. sports, news, movies, etc.)] and a quantity field [Hendricks: count], wherein the rollup field stores a rollup keyvalue of the keygroup, and wherein the quantity field stores the number of dataset records that have the same

rollup keyvalue [Hendricks: See column 70, lines 40-56 & Fig. 29], wherein the SAP business information system comprises a SAP Executive Information System (EIS) [See claim 4 above] as claimed.

Referring to claim 6, the system of Ziglin in view of Hendricks as applied to claim 10 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin v. Hendricks teaches the system of claim 10, as above, wherein the bridge program is further adapted to cause the rollup records in the generated Aspect file [See above] to be sorted with respect to the keygroup [Hendricks: See column 70, line 57 et seq.] as claimed.

Claims 7-8 are rejected on the same basis as claims 2-3, in light of the basis for claim 10. See the discussions regarding claims 2-4 & 10 above for the details of this disclosure.

Referring to claim 9, the system of Ziglin in view of Hendricks as applied to claim 10 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin v. Hendricks teaches the system of claim 10, as above, wherein the bridge program is further adapted to generate a trace file [Hendricks: target sequence] that includes a representative rollup keyvalue [Hendricks: highest priority weighted group] of the keygroup and a pointer that points to a portion of the dataset, said portion being

correlated with the representative rollup keyvalue [Hendricks: See column 70, line 57 et seq.] as claimed.

Referring to claims 11 and 12, the system of Ziglin in view of Hendricks as applied to claim 10 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin v. Hendricks teaches the system of claim 10, as above, wherein the bridge program is further adapted to identify select records [Ziglin: ¶ 0035; Hendricks: Column 40, lines 44-56 & Column 70, line 40 – Column 71, line 10] of the dataset in accordance with at least one selection rule [Ziglin: key value(s); Hendricks: date/time constraints] applied to the dataset, and wherein the portion of the dataset includes the select records so identified, wherein to identify the select records includes to accept as input a first date and a second date [Hendricks: Column 40, lines 44-56 & Column 70, line 40 – Column 71, line 10], wherein the first date is earlier than the second date, and wherein the selection rules do not permit identifying as a select record any record of the dataset having an effective date that is earlier than the first date or later than the second date [only records between the dates/times are selected] as claimed.

Referring to claim 13, the system of Ziglin in view of Hendricks as applied to claim 10 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin v.

Hendricks teaches the system of claim 10, as above, wherein the dataset is a table [in database 96] as claimed.

Referring to claims 14 and 15, the system of Ziglin in view of Hendricks as applied to claim 10 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin v. Hendricks teaches the system of claim 10, as above, wherein the report relates to procurement data [See below], wherein the rollup records include the procurement data [See the above cited portions of Ziglin & Hendricks], and wherein the procurement data is selected from the group consisting of purchase order data, invoice data, and a combination thereof [See the Background, Summary, and Detailed Descriptions of both Ziglin and Hendricks] as claimed.

Referring to claim 23, the system of Ziglin in view of Hendricks as applied to claim 11 above discloses the invention as claimed. See the discussions regarding claims 10-11 above, as well as the portions of Ziglin and Hendricks cited therein, for the details of this disclosure. Ziglin's (as modified by Hendricks) system uses data from N [multiple] Aspect files created from N datasets for generating a report [See Fig. 12 & corresponding portion of Ziglin's specification and the above cited portions of Hendricks] as claimed.

Claims 17 and 18 are rejected on the same basis as claims 2-3 respectively, in light of the basis for claim 23. See the discussions regarding claims 2-4, 10-11 and 23 above for the details of this disclosure.

Referring to claims 19-22, the system of Ziglin in view of Hendricks as applied to claim 23 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin's (as modified by Hendricks) bridge program(s) [118] transforms datasets of multiple, different formats [any format] to create the Aspect files as claimed.

Claims 24 and 25 are rejected on the same basis as claims 14 and 15 respectively, in light of the basis for claim 23. See the discussions regarding claims 10, 14-15 and 23 above for the details of this disclosure.

Claims 27-29 are rejected on the same basis as claims 2-4 respectively. See the discussions regarding claims 2-4 above for the details of this disclosure.

Claims 31-40 are rejected on the same basis as claims 6-15 respectively. See the discussions regarding claims 6-15 above for the details of this disclosure.

Referring to claim 41, the system and method of Ziglin in view of Hendricks as applied to claim 35 above discloses the invention as claimed. See Figures 12 & 15 and the corresponding portions of Ziglin's specification, as well as Figures 4 & 29 and the corresponding portions of Hendricks' specification, for this disclosure. Ziglin v. Hendricks teaches the method of claim 35, as above, further comprising:

transmitting the Aspect file to the SAP business information system [See above] where the Aspect file becomes a Temp file [for the Enterprise (SAP) Solution Applications 132 to process] having rollup records [See above];

making a query to sum over the quantity field for a subset of the rollup records of the Temp file [Hendricks: Column 70, line 40 – Column 71, line 10], wherein the subset is determined by the query, and wherein the query is adapted to being executed by a SAP module in the SAP computing environment; and

executing the query by the SAP module including returning a result of the query [See above cited portions of both Ziglin & Hendricks] as claimed.

Claims 43-51 are rejected on the same basis as claims 17-25 respectively. See the discussions regarding claims 17-25 above for the details of this disclosure.

Claim 52 is rejected on the same basis as claim 41, in light of the basis for claim 49 above. See the discussions regarding claims 41 and 49 for the details of this disclosure.

Claims 53-55 are rejected on the same basis as claims 4, 10 and 23 respectively. See the discussions regarding claims 4, 10 and 23 above for the details of this disclosure.

Response to Arguments

4. Applicants' arguments filed 23 August 2004 have been fully considered but they are not persuasive.

Referring to applicants' remarks on page 17 (the "first example") regarding the Section 103 rejection of claim 4: Applicants argued that Hendricks does not teach or suggest a **SAP** Executive Information System because there is no mention of SAP or of Systems Application and Products anywhere in Hendricks.

The examiner disagrees for the following reasons: The absence of a specific term in a reference does not constitute lack of teaching by that reference. The system disclosed in the cited portions of Hendricks is considered a functional equivalent to the claimed SAP Executive Information System. No information has been provided to the examiner that shows functional distinguishing characteristics of the claimed "SAP Executive Information System" when compared to the EIS disclosed in Hendricks. Therefore, Hendricks sufficiently discloses the SAP Executive Information System as claimed.

Referring to applicants' remarks on pages 17-18 (the "second example") regarding the Section 103 rejection of claim 4: Applicants argued that Ziglin in view of Hendricks does not disclose an "Aspect file" because Ziglin's database 134 [the Aspect file] is not readable by, or processed by, an EIS as required by the definition of "Aspect file" in the instant specification.

The examiner disagrees for the following reasons: The entire purpose of Ziglin's invention, as clearly disclosed in the Abstract, Background and Summary of the Invention sections of Ziglin, is to convert an organization's proprietary data into a format usable by an Executive Information System which the organization is adopting, through the creation of a new database (134) [the "Aspect file"] readable and usable by the new EIS. Thus, Ziglin's database [Aspect file] must be readable, and processed by, an EIS. (Also see examiner's response to the "fifth example" below.) Therefore, the combination of Ziglin and Hendricks does teach the "Aspect file" as claimed.

Referring to applicants' remarks on pages 18-19 (the "third example") regarding the Section 103 rejection of claim 4: Applicants essentially repeated the argument from the "first example" above, and further argued that Ziglin teaches away from the use of SAP and thus teaches away from the combination altogether.

The examiner disagrees for the following reasons: First, Hendricks teaches the use of SAP as shown above in examiner's response to the "first example." Second, Ziglin does not teach away from the use of SAP as argued by applicants. Applicants have chosen to focus on a small portion of Ziglin's disclosure in Paragraph 0006, and have completely ignored the portion that is relevant to Ziglin's invention. Specifically, the portion of Paragraph 0006 in Ziglin quoted by applicants shows weaknesses in the art PRIOR TO Ziglin's invention. The sentence in Paragraph 0006 immediately following the portion quoted by applicants states, "Therefore, what is needed is a system which can operate while the new enterprise system [*e.g. SAP*] is being developed, and while operating, can convert the old system data to the new enterprise system [*e.g. SAP*] data format." (*Comments added by examiner*) Thus, Ziglin's entire purpose from the outset is clearly to create a conversion system for use within an enterprise system such as SAP. Ziglin **explicitly suggests** the use of SAP, rather than teaching away as asserted by applicants. Therefore, Ziglin explicitly suggests the combination as shown above.

Referring to applicants' remarks on pages 19-20 (the "fourth example") regarding the Section 103 rejection of claim 4: Applicants argued that the combination does not teach or suggest "a non-SAP bridge program adapted to **generate** the Aspect file"

(emphasis added) because Ziglin's Layering Program does not generate the database 134 [Aspect file].

The examiner disagrees for the following reasons: Here again applicants have performed a piecemeal analysis of the reference, choosing to focus on a small portion of the disclosure and ignoring the remaining, more pertinent disclosures. In the instant case, the portion of Ziglin quoted by applicants is directed to one embodiment of Ziglin's layering program. However, Ziglin's layering program performs multiple functions above and beyond this one embodiment. Specifically, as shown in the Abstract, Summary of the Invention [See ¶ 0009-0010] and Paragraphs 0059-0060 (at a minimum), Ziglin's layering program is used to convert an old database [e.g. 96] into a new Enterprise database format [e.g. 134]. Thus, Ziglin's layering program does "generate the Aspect file [134]" as claimed.

Referring to applicants' remarks on pages 22-23 (the "fifth example") regarding the Section 103 rejection of claim 10: Applicants argued that the combination does not teach or suggest an Aspect file having "rollup records" as claimed.

The examiner disagrees for the following reasons: First, applicants' arguments are directed towards the references individually, ignoring the combination as a whole. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In the combination, Hendricks' "Matrix" is the corresponding component to Ziglin's

database 134 [the Aspect file] as shown in the grounds for rejection of claim 10 (previously in claim 5). That is, because Ziglin's system is implemented within Hendricks' SAP EIS in accordance with the combination, the database 134 [Aspect file] generated by Ziglin's system in the combination must correspond to Hendricks' Matrix.

Second, applicants have again performed a piecemeal analysis of the references, citing an irrelevant portion of Hendricks' specification and completely ignoring the relevant portion cited by the Office. In the previous Office action (and repeated above), Column 70, lines 40-56 of Hendricks was cited as teaching the rollup records. This disclosure in Hendricks teaches the "rollup records" exactly as claimed. Thus, the "Aspect file" of the combination as a whole does have "rollup records" as claimed.

Referring to applicants' remarks on page 23 (the "sixth example") regarding the Section 103 rejection of claim 10: Applicants argued that the combination does not teach or suggest the claimed keygroup, rollup field, and quantity field features. Applicants stated that, "the Examiner's arguments relating to the keygroup, rollup field, and quantity field features of claim 10 are confusing and unintelligible." Applicants' then concluded that, "the Examiner has not established a *prima facie* case of obviousness in relation to claim 10."

The examiner disagrees for the following reasons: First, the examiner did not provide "arguments" relating to these claimed elements (the claim elements in question were previously present in claim 5, and have now been amended into claim 10) in the prior Office action. Thus, the Office is puzzled as to what "arguments" applicants find

"confusing and unintelligible." The examiner did cite the relevant portions of Hendricks' specification, as well as the terms used therein, considered to disclose these claimed elements. Perhaps applicants' confusion stems from the apparent fact (See examiner's response to the "fifth example" above) that they have ignored the relevant portion of Hendricks' specification (Column 70, lines 40-56) which uses the terms cited by the Office as disclosing the claimed elements. Therefore, a *prima facie* case of obviousness has been established.

The remainder of applicants' arguments repeated arguments posed in the "first example" through the "sixth example" above. Therefore, the corresponding responses by examiner shown above respond to the remainder of these arguments in kind.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goddard whose telephone number is 571-272-4020. The examiner can normally be reached on M-F, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bdg
13 January 2005

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